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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**

8 BankFirst, a South Dakota state bank, ) No. CV-08-376-PHX-DGC  
9 Plaintiff, ) **ORDER**  
10 vs. )  
11 Tucson Copper Hill Estates, LLC, a )  
12 Minnesota limited liability company, )  
13 et al., )  
14 Defendants. )

15 At the Case Management Conference on April 11, 2008, the Court inquired  
16 concerning the principal place of business for Plaintiff BankFirst. Counsel for BankFirst  
17 stated that although Plaintiff is a South Dakota corporation, its principal place of business  
18 is in Minnesota. Because the other Defendants in this case are also citizens of Minnesota,  
19 the Court lacks diversity jurisdiction. 28 U.S.C. § 1332; *see Indus. Tectonics, Inc. v. Aero*  
20 *Alloy*, 912 F.2d 1090, 1092 (9th Cir. 1990) (“For purposes of diversity jurisdiction, a  
21 corporation is a citizen of any state where it is incorporated and of the state where it has its  
22 principal place of business.”) (citing § 1332(c)(1)); *Caterpillar, Inc. v. Lewis*, 519 U.S. 61,  
23 68 (1996) (§ 1332(a) “applies only to cases in which the citizenship of each plaintiff is  
24 diverse from the citizenship of each defendant.”).

25 **IT IS ORDERED** that this case is **remanded** to Pinal County Superior Court.

26 DATED this 14th day of April, 2008.

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David G. Campbell  
United States District Judge